

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 16, 2005

DIVISION ONE

B181372 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Mario U.

The order is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Rothschild, J.

B171877 People (Not for Publication)
 v.
 Copeland

We strike the three-year and four-month criminal street gang enhancement imposed on count 21 pursuant to section 186.22, subdivision (b)(1)(C), the restitution fine imposed pursuant to section 1202.45, and the sentence imposed on count 12. We affirm the judgment as modified. We direct the trial court to impose the section 12022.53, subdivisions (b) and (c), firearm use enhancements found true on counts 1, 2, 3, 4, 21, 22 and 24 and to stay execution of those terms. The clerk of the trial court is to prepare a new abstract of judgment and to forward a copy to the Department of Corrections.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Suzukawa, J. (Assigned)

June 16, 2005 (Continued)

DIVISION ONE (Continued)

B171273 People (Not for Publication)
v.
Aredondo

The judgment is affirmed.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

DIVISION TWO

B174073 Standard Pacific of Orange Co., Inc. (Not for Publication)
v.
City of Walnut, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B179306 People (Not for Publication)
v.
Cruz

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B176293 Daniel Ashford (Certified for Publication)
v.
Culver City Unified School District, et al.

The judgment from which petitioner has appealed is reversed and the trial court is directed to vacate its writ and judgment, and enter a judgment that orders the issuance of a peremptory writ of mandate directing the Board to (1) set aside its findings and decision and, (2) enter new findings and a decision consistent with the views expressed herein. Costs on appeal to petitioner.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B175279 People (Not for Publication)
v.
Fernandez, et al.

As to Fernandez, the judgment is modified to delete the 10-year enhancement imposed pursuant to section 186.22, subdivision (b)(1), and to strike the parole revocation fine imposed pursuant to section 1202.45. In all other respects, the judgment is affirmed.

As to Villalobos, the judgment is modified to reduce the enhancement imposed for the personal discharge of a firearm by a principal causing death under section 12022.53, subdivisions (d) and e)(1) to 25 years to life and to strike the parole revocation fine imposed pursuant to section 1202.45. In all other respects, the judgment is affirmed.

The clerk of the superior court is directed to prepare and forward to the Department of Corrections amended abstracts of judgment reflecting these modifications.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

June 16, 2005 (Continued)

DIVISION THREE (Continued)

B177997 People (Not for Publication)
v.
Cortez

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B175186 Roger K. Light, et al. (Not for Publication)
v.
City of Hawthorne, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B181801	Cynthia M. v. SCLA (DCFS)
B181239	Larry C. v. SCLA (DCFS)
B175355	People v. Tavianna W.

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B182000 Vinci
 v.
 Superior Court, Los Angeles County
 (Lee et al., r.p.i.)

Merits:

Argued by Matthew J. Yarling for petitioner, by John S. Cha for real party in interest Lee and by Bradley L. Jacobs for real parties in interest Lair, et al. Submission deferred. Petitioner's letter brief is due in 5 days and real parties in interest's briefs due 5 days thereafter. Matter to be submitted when real parties briefs are filed.

B176513 Beutler
 v.
 Walt Disney Studios, et al.

Merits:

Argued by Fred G. Glantz for appellant and by Gregory D. Bistline for respondents. Cause submitted.

B175173 North Beverly Park Homeowners Association
 v.
 Bisno, et al.

Merits:

Argued by Marshall G. Mintz for appellants and by Denise M. Parga for respondent. Cause submitted.

B180788 Franklin Mint Company et al.
 v.
 Superior Court, Los Angeles County
 (Manatt, Phelps & Phillips, et al., r.p.i.)

Merits:

Argued by Lawrence B. Gutcho for petitioners, by Brad D. Brian for real party in interest Manatt, Phelps & Phillips and by Christopher Price for real parties in interest Diana Princess of Wales Trust, et al.. Cause submitted.

DIVISION FOUR (Continued)

B168558 Landfill Holdings, et al.
 v.
 Newhall Land and Farming Company, et al.

Merits:
Argued by Anton Handal for appellants and by Gregory R. Smith for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 P.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B175739 People v. Valdez
B177420 People v. Blanco
B173701 People v. Gleason
B175777 People v. Johnston
B179466 DCFS v. Shelley G.

Argument waived, cause submitted.

B176255 Nakada, et al.
 v.
 De La Flor, et al.

Merits:
Argued by Stephen L. Jones for appellants and by Richard Salcido for respondents. Cause submitted.

B176848 Winton
 v.
 WMW, et al.

Merits:
Argued by Bennett A. Rheingold for appellants and by David B. Mehdizadeh for respondent. Cause submitted.

DIVISION FOUR (Continued)

B176663 Georgia-Pacific Corporation
v.
Garamendi

Merits:

Argued by Jordan S. Stanzler for appellant and by Robert H. Nunnaly, Jr. for respondent. Cause submitted.

B175363 Batzofin
v.
Stephan, Oringer, Richman & Theodora, et al.

Merits:

Argued by Robert K. Sall for appellant and by Kyle Kveton for respondents. Cause submitted.

Court adjourned.

B180338 People
v.
Lampkin

Filed order denying petition for rehearing.

B180286 People (Not for Publication)
v.
Soto

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Hastings, J.

June 16, 2005 (Continued)

DIVISION FOUR (Continued)

B171177 People (Not for Publication)
v.
Allen

The judgment is affirmed.

Curry, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B172506 People (Certified for Partial Publication)
v.
Rayvon Baylor

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B175207 Overland Investment, L.L.C. (Not for Publication)
v.
Etiwanda 21.69, L.P.

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

June 16, 2005 (Continued)

DIVISION SIX

Court convened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

Each of the following:

B173742	People v. Avalos
B175050	People v. Ambriz
B175460	People v. Moore
B175493	People v. Estrada
B176040	People v. Avalos
B177276	People v. Brooks
B177724	People v. Steed
B178561	People v. Verduzco

Argument waived, cause submitted.

B177506	People v. Golod & Golod
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Merits:

Argued by Ilan Funke-Bilu for appellants and argument previously waived by respondent. Cause submitted.

B171719	People v. Khodabakshian
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Merits:

Argued by Danalynn Pritz for appellant and by Ellen Birnbaum Kehr, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B177044 People
 v.
 Glove-Madden

Merits:
Argued by Lyn A. Woodward for appellant and argument previously
waived by respondent. Cause submitted.

B173507 People
 v.
 Colwell

Merits:
Argued by Lyn A. Woodward for appellant and by Lauren E. Dana, Deputy
Attorney General, for respondent via video conference. Cause submitted.

B171519 People
 v.
 Aguero

Merits:
Argued by Larry S. Dushkes for appellant and by Michael Whitaker,
Deputy Attorney General, for respondent via video conference. Cause
submitted.

B177442 People
 v.
 Arnold

Merits:
Argued by Anthony Marlow for appellant and by Elaine F. Tumonis,
Deputy Attorney General, for respondent via video conference. Cause
submitted.

DIVISION SIX (Continued)

B179373 People
 v.
 Steiniki

Merits:

Argued by Abbe Allen Kingston for appellant and by Roberta L. Davis, Deputy Attorney General, for respondent via video conference. Cause submitted.

B177584 People
 v.
 Verdugo

Merits:

Argued by Marylou Hillberg for appellant and by David A. Wildman, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. left the bench.

B173651 People
 v.
 May

Merits:

Argued by David F. Glassman, Deputy Attorney General, for respondent. Counsel for appellant did not appear. Cause submitted.

B174288 People
 v.
 Vernon

Merits:

Argued by Daniel G. Koryn for appellant via video conference and by Rama R. Maline, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court adjourned.

DIVISION SEVEN

B145600 People
 v.
 Tomlin

Filed order vacating submission order of 3-22-05, to await Supreme Court decision in People v. Black (S126182) and to invite subsequently supplemental briefing before resubmission.

DIVISION EIGHT

B172199 People
 v.
 Paz

Filed order denying petition for rehearing.

B179909 & B181519
 Estess
 v.
 Deblasis et al.

Filed order consolidating above captioned appeals.